

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hein et al.
Title: TRANSGENIC PLANTS EXPRESSING
ASSEMBLED SECRETORY
ANTIBODIES
Appl. No.: 09/200,657
Filing Date: 11/25/98
Examiner: Bui, Phuong T.
Art Unit: 1638

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INTERVIEW SUMMARY

Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants wish to thank Examiners Housel, Bui and Collins for the courtesy extended to Applicants' representatives and their attorney during the interview held April 25, 2002. Provided herewith as per the examiners' request is Applicants' interview summary record.

The parties briefly discussed the status of the case and the pending claims. An amendment was filed on March 4, 2002 and a declaration with supplementary argument was filed on March 14, 2002.

The examiners requested that Applicants identify support in the specification for the claim term "portion thereof." Applicants' representatives noted that the specification provides support not only for well known proteolytic fragments of immunoglobulins but also supports any of a variety of other fragments feasible through genetic manipulation. Applicants' representatives indicated that numerous examples of support provided in the specification were identified in the Amendment of March 4, 2002. Applicants' representatives agreed to consider providing additional supporting argument and/or claim amendment in a supplemental filing.

The examiners also requested that Applicants identify support in the specification for combining heavy and light portion sequences into a single polypeptide immunoglobulin (e.g., a single chain Fv). Applicants' representatives indicated that numerous examples of the support provided in the specification were identified in the Amendment of March 4, 2002. Applicants' representatives agreed to consider providing additional supporting argument and/or claim amendment in a supplemental filing.

The examiners further requested that Applicants distinguish the art with respect to expression of heavy chains only versus light chains only in a plant. Applicants' representatives discussed the possibility of amending the claims to delete reference to expressing a light chain alone, and to pursue such claim in companion U.S. application serial no. 09/512,736.

Applicants' representatives presented an overview of the Lerner declaration and its conclusions with respect to the During dissertation. The examiners raised no issues with respect to Lerner's conclusions.

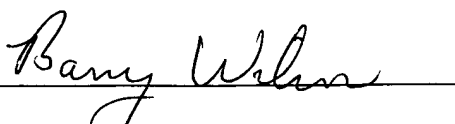
Attached herewith is a copy of the materials shown to the examiners during the interview. Also attached is a copy of a publication in which the inventors are co-authors (Science, vol. 268, p716-719, May 1995). The examiners' attention is directed to figure 4 on page 718 of the publication which reveals the subcellular localization of antibody heavy and light chains expressed in plant cells.

The Examiner is urged to contact the undersigned by telephone to address any outstanding issues standing in the way of an allowance.

Respectfully submitted,

Date: May 2, 2002

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Enclosures

EPICYTE PHARMACEUTICALS INC. 3007 PATENT FAMILY

PLANT EXPRESSION

